



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MASSACHUSETTS 02109-3912

**URGENT MATTER -- PROMPT REPLY NECESSARY**  
**CERTIFIED MAIL: RETURN RECEIPT REQUESTED**

February 9, 2016

Mr. Ken Torrey, Corporate EHS Manager  
E-Ink Corporation  
1000 Technology Park Drive  
Billerica, MA 01821

RE: **NOTICE OF VIOLATION** of the Resource Conservation and Recovery Act (RCRA), the Hazardous and Solid Waste Amendments of 1984 (HSWA) and Massachusetts General Law, Chapter 21C, Sections 4 and 6.

Dear Mr. Torrey:

On August 3, 2015, representatives of the United States Environmental Protection Agency ("EPA") conducted a RCRA Compliance Evaluation Inspection. The purpose of this inspection was to determine the compliance of E-Ink Corporation, EPA ID No. MAC300094695, with 310 CMR 30.000 and the federal Hazardous Waste Management Regulations found at 40 CFR Parts 260-272. The State of Massachusetts has been granted final authorization by EPA to administer certain portions of RCRA.

As a result of the inspection noted above, EPA has determined that your facility violated certain provisions of 310 CMR 30.000 and the RCRA regulations, promulgated at 40 CFR Parts 260 through 272. The violations are set forth below:

1. Failure to make adequate waste determinations on two pallets of wastes accumulating in an area near the "Wastewater Room" including: aerosol cans, "Aerovoe Striping Paint", and, a container marked "IP waste" in the "H2 Storage" area which had no other labeling information.
2. Failure to maintain hazardous waste containers closed on containers of HW in the "Wet Capsule Process Lab", "Analytical Lab", and in the "Small Scale Area"
3. Failure to appropriately label containers of hazardous waste on one missing label on a container in the Analytical Lab
4. Failure to properly mark hazardous waste lamps with the start date on one label of UW in the Electronics Lab

**E-Ink Corporation must address the requirements set forth above and must immediately begin and continue to operate in compliance with all applicable Federal and State regulations.**

**Within (30) thirty calendar days of receipt of this NOTICE**, submit a written description, with supporting documentation, of the actions taken to address requirements 1 through 4 above. Submit the information to:

Donald MacLeod, Environmental Engineer  
U.S. Environmental Protection Agency  
Office of Environmental Stewardship (OES05-4)  
5 Post Office Square, Suite 100  
Boston, Massachusetts 02109-3912

Failure to correct the violations as required by this NOTICE may subject the facility to further Federal enforcement action, including the assessment of penalties, pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928. If you have any questions regarding this NOTICE, please contact Donald MacLeod, of my staff, at 617-918-1405.

Sincerely,



Mary Jane O'Donnell, Manager  
Office of Environmental Stewardship

cc: Dave LaPusata, NERO, MADEP  
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